

FINAL MEETING SUMMARY

HANFORD ADVISORY BOARD HEALTH, SAFETY, AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING October 12, 2006 Richland, WA

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This is only a summary of issues and actions in this meeting. It may not represent the fullness of ideas discussed or opinions given, and should not be used as a substitute for actual public involvement or public comment on any particular topic unless specifically identified as such.

Welcome and Introductions

Keith Smith, HSEP Chair, welcomed the committee and introductions were made. Changes to the May meeting summary were incorporated, and the summary was adopted.

Hexavalent Chromium

Rob Davis provided a presentation on hexavalent chromium exposures, focusing specifically on worker exposure to welding vapors. He said he believes the Board needs to ask questions about worker exposure to welding vapors, since welding will be an ongoing activity, although he noted that Waste Treatment Plant (WTP) contractors have discontinued stick welding. An Occupational Safety and Health Administration (OSHA) rule on hexavalent chromium came out in May, which changed the exposure limit from 50mg/ml³ to 5mg/ml³. Rob noted that states can exceed OSHA requirements, with which contractors have to comply. He emphasized the need to do air sampling of worker environments and take steps to ensure protectiveness.

Rob Barr, Safety Director for the Department of Energy-Office of River Protection (DOE-ORP), thanked the committee for their interest in this topic. The OSHA rule has been in place for a while. In 2003, OSHA reduced the exposure limit to 52 mg/ml³ to 0.5mg/ml³, because hexavalent chromium was determined to be a carcinogen causing soft tissue damage. Maximum exposure is measured indirectly by taking filter media from a worker's respirator. A 5mg/ml³ standard was established because it is difficult to measure levels less than that. Therefore, it is unlikely other entities will institute a lower standard.

Rob said Bechtel National, Inc. (BNI) and CH2M Hill Hanford Group (CHG) have implemented the 5mg/ml³ limit. Certain industries are allowed to phase-in the OSHA standards, which has already happened at Hanford. Multiple techniques, including respirators, can reduce exposure risk. The exposure limit applies at the tank farms, but it is not a significant issue since stainless steel is not used there. However, WTP construction involves a lot of stainless steel welding. Welders are required to use respirators, and no one at the WTP has ever exceeded the hexavalent chromium limit. There was an incident last year where a worker responsible for the elephant trunk over a welding area did not have a respirator and was exposed, but this incident was not considered a significant issue because multiple exposures are the most cause for concern.

Steve Bertness, DOE-Richland Operations Office (DOE-RL), discussed the hexavalent chromium monitoring programs at DOE-RL, which are part of the Fluor Hanford and Washington Closure Hanford (WCH) contracts. He said hexavalent chromium exposure is just as important as other safety requirement and receives the same oversight priority. DOE makes sure contractors adequately modify safety and monitoring programs.

Committee Discussion

- *What comprises the monitoring system?* Rob Barr said workers are required to wear a personal monitor. When the job is done, the amount of chromium on the monitor's filter apparatus is measured to estimate exposure.
- *Is the welding work usually long or short jobs?* Rob said welding jobs are typically very short. The monitoring program only applies to stick welding of stainless steel.
- *How much stick welding of stainless steel does DOE-RL do?* Steve said DOE-RL does not do much welding, since it is primarily involved in decommissioning. However, there is some risk of exposure to hexavalent chromium in the soil and pipelines, so workers doing excavation are covered under the monitoring program. Most excavation work is done remotely.
- *Do industrial hygienists interface with contractors on safety exposure programs?* Steve said his job is to provide oversight of contractor programs to ensure they are compliant.
- Jerry Peltier said Hanford used to be self-contained and provide its own stainless steel and perform its own welding. Through evolution and conversion to the present cleanup mission most of stainless steel procurement is now external and on-site welding is limited. He said it is important to ensure Hanford contracts carry requirements to comply with OSHA standards. Steve said DOE-RL has several contract components to require contractors to comply with OSHA exposure limits. He said DOE-RL has daily OSHA-equivalent oversight of contractors at Hanford, which is unusual for industries off-site.
- *How many people are on an AdvanceMed Hanford (AMH) hexavalent chromium tracking system, and how does it compare to the Be tracking list?* Rob Barr said a hexavalent chromium tracking list does not currently exist. Exposed individuals are

tracked after exposure, and potentially exposed activities are categorized. Steve said there is a difference between medical monitoring and air monitoring, as well as a difference between personal monitoring and job site monitoring. Doug Shoop, DOE-RL, explained that contractors have processes in place to identify hazards associated with particular jobs. Exposure monitoring results are given to AMH. AMH factors the exposure information and employee job task analysis (EJTA) into a medical evaluation for individual workers.

- *How many people are being monitored specifically for hexavalent chromium?* Rob said roughly 25 people are monitored for hexavalent chromium, but he will confirm the numbers for the committee.
- *Is the same monitoring program applied to welding and decommissioning work?* Steve said the requirements apply wherever there is a hexavalent chromium exposure risk.
- *Are there any biological markers for chromium in the body?* Steve said blood analysis and urinalysis are performed, but he was not sure whether there are specific biological markers for hexavalent chromium. He said he would find out for the committee. Gerry Dagle noted levels of hexavalent chromium in the air can be monitored, but this information needs to correlate with levels measured in the body.
- *Do workers understand the hexavalent chromium hazards on a particular job?* Doug said workers are provided pre-job briefings of the work activities and associated hazards. He acknowledged that communicating this information is not always successful. Becky Holland said EJTAs are supposed to be reviewed by an industrial hygienist and the employee's manager, and then the employee signs the EJTA. Doug said the EJTA is the opportunity for employees to indicate they would like additional monitoring.
- The committee generally agreed DOE and its contractors seem to be taking a proactive approach. Keith agreed it is encouraging that DOE and contractors are monitoring for such low level. Gerry suggested any time OSHA standards are strengthened or tightened, the committee should determine whether new OSHA standards apply and are being implemented at Hanford. (Rob Barr said OSHA has a website where individuals can sign-up to receive standard updates.) He emphasized OSHA standards are always the minimum standards, and DOE and contractors can always have more protective standards. Doug said DOE has gone far beyond OSHA standards to ensure protectiveness.

Beryllium Medical Removal Update

Charlie Weems provided an issue manager review of the Be medical removal issue. He said members of the Be Awareness Group feel they have a good working relationship with DOE; however, problems with medical removal and medical removal benefits still exist. He explained that medical removal is a voluntary program that must be provided to workers who are proven to be sensitized. Workers with two eligible tests are eligible for medical removal benefits. Sensitized workers can be temporarily removed from their current work activities, but the benefits expire after two years. Therefore, some workers

with good jobs do not want to have the test done and be removed from their position. Charlie noted that chronic Be disease may only develop five years after exposure, and the program benefits would not cover these workers. It is a matter of finding people an adequate job, rather than just extending the benefits beyond two years.

Doug Shoop said the Be Awareness Group has raised the issue of the medical monitoring program. Doug said there are enough jobs on-site to move Be-sensitized people away from exposure risk, so the two-year program should never come into play. DOE is working with stakeholders to implement a process that does not impact workers. He said he believes DOE is at a point where all stakeholders (AMH, Be Awareness Group and contractors) agree on a program that everyone understands and accepts. DOE needs to present the program process to the Be Awareness Group and then Doug can update the committee.

Review of Workers Compensation Survey Results

Charlie Weems provided an update on the results of a workers compensation survey. Hanford became self-insured in 2000. In 2001, the Washington State Department of Labor and Industry (L&I) reviewed the self-insured DOE program and the problems with Contract Claims Services, Inc. (CCSI) raised by workers unhappy with the handling of worker compensation claims. DOE asked L&I to perform a second review of the worker compensation claims program, since there seemed to be little movement on the recommendations from the 2001 review. The Government Accountability Project (GAP) conducted its own study and concluded that the L&I study and scope were good, but GAP made additional recommendations. Based on their interpretation, GAP determined that 27% of claims were managed appropriately, 12% were not, and 53% were not paid within the regulatory timeframe. The GAP review found a higher rate of claim denial within the self-insured programs in Washington, and chemical claim denials were triple the rate of other self-insured companies. There are workers with some exposures who might qualify for compensation; however, inadequate exposure records may prohibit workers from substantiating their claims and this has become a huge problem for former Hanford workers. GAP recommended DOE phase-out CCSI and go back to managing the program through L&I. Charlie said he believes the committee should develop advice that the recommendations in the reviews by Miller and Miller and L&I be implemented and followed-up on.

Jeanie Schwier, DOE-RL, said from the administrative side, no regulatory issues were identified by the program reviews. Miller and Miller focused on customer relations and the timeliness of requests. These recommendations were implemented with CCSI. DOE talked with CCSI about reducing their case load, putting in an additional supervisor, and focusing on customer relations by contacting individuals within 24 hours of a claim being filed. A newly-hired position at DOE-RL will serve as a liaison between contractors, L&I, and third-party administrators. Jeanie said there is a higher rate of claim denial related to chemicals and vapors because there is more data on those issues and claims can be documented and evaluated more accurately.

Jeanie said she does not believe transferring worker compensation claims administration back to L&I is a good solution to adequately addressing claimants' needs. She noted that CCSI was doing everything DOE asked them to do, and has programs in place to improve in areas such as customer relations.

Committee Discussion

- *Are employers or contractors required to keep accurate records of exposure and assignments on site?* Jeanie said there is a requirement (DOE Order 440.1A) to track workers' records. She said it is in the best interest of employees to have a complete record of their work history. There is a provision about withholding records due to national security (that GAP cited), but it has never been called on for any request about any employee at Hanford. DOE-RL is evaluating whether it is even necessary to continue to have the language in the memorandum of understanding (MOU).
- *How does a doctor obtain an employee's complete work history?* Jeanie said the EJTA includes an employee's complete work history, including descriptions of work activities, job hazards, and possible exposures. Doug acknowledged it is not a perfect system, and workers move around the site, so it can be difficult to keep an accurate account. Rob Barr said doctors can get an employee's work record for specific work that was done. Jeanie said it is critical to substantiate worker history, and DOE has recently developed a more robust tracking system. Jim said a lack of data presents a huge problem with documenting unique exposures.
- *What are the metrics used to understand whether the program is working?* Jeanie said DOE is tracking customer relations, monitoring communication with claimants, monitoring timeliness of claim reviews, monitoring the state's effectiveness, and monitoring claim denials.
- *Does a worker have the option of taking a claim to court if it is denied? How many denials go to court, and how many are successful?* Jeanie will find out the number of denied claimants who have gone to court and provide this information to the committee.
- *Is DOE planning to tell the public what action has been taken to address the problems brought up by workers?* Committee members noted this subject dominated last year's Hanford State of the Site (SOS) meeting. Karen Lutz, DOE-RL, said Keith Klein, DOE-RL Manager, did an independent review of the worker compensation claims program, and he plans to address the public's concerns at the next SOS meeting. Jerry Peltier suggested significant public concern at the SOS meeting would further indicate the need for Board advice.
- Keith Smith said getting beyond the perception of CCSI as just another hurdle in the claim process would go a long way to improving satisfaction with the claim process. Jeanie said one of the biggest hurdles of approving claims is the ability to make a medical evaluation on a claim. Rob Barr said a claim has to demonstrate exposure and damage, and damage is typically the hardest part to determine. He said developing adequate worker health records is a priority for DOE and its contractors; however, working with past records, which were kept using different record keeping

requirements, is a significant challenge. Generally, claims are denied because exposure and damage cannot be verified. He said DOE recognizes they are in compliance with state law, but also has an obligation to customer service and to ensure claimants are treated fairly.

- Charlie expressed concern that there are not adequate processes to document worker exposures and get that information to independent medical examiners. He will work on drafting advice for February.

Report on 100-D Chromium Spill

Joe Franco, DOE-RL Assistant Manager for the River Corridor Project, updated the committee on the recent chromium spill in the 100-D Area. The first phase of the investigation showed the piping was clean, but there were some low spots that might have additional chromium. Roughly 25 to 30 gallons of chromium were released when the pipes were hit during excavation work. Once the site was stabilized, DOE excavated the area and put a liner underneath. The excavated material was secured in a container and taken to the Environmental Restoration Disposal Facility (ERDF). The remaining clean material was replaced. DOE notified Ecology of the situation, which took longer than it should have, and Ecology has expressed some concerns about the notification process and inter-agency communications. Ecology performed an inspection and sent the results to DOE for review.

Committee Discussion

- *Was a remote machine used to perform the excavation work?* Joe said the machine was not remote, but DOE made sure there was no worker exposure.
- *Where does DOE plan to dispose of the excavated pipe?* Joe said DOE has to characterize the excavated material, which determines where to dispose of it. Fran DeLosier, WCH, said the backhoe picks up the soil and pipe for disposal. The original plan would have allowed clean soil to be used as backfill. Joe said DOE is evaluating a disposition path for the hazardous material.
- Keith said workers expressed many concerns at a recent worker safety meeting. He said there seems to be a significant disconnect in getting the safety message from the management level to the worker level. He noted many worker complaints have been filed anonymously, which indicates workers are worried about safety and the security of their jobs. He expressed concern that companies are placing the importance of getting the job done over worker safety. Fran said she recognizes that some workers are uncomfortable bringing up concerns and she agreed the work should not be done if it cannot be done safely. WCH is using the former contractor's processes as an interim step in addressing insufficiencies in the work planning process. Fran said the WCH president acknowledged a need to improve work planning and worker involvement, but she also appreciates working with the Board and the committee, especially if members have any insights that can help WCH.

Committee Business

The committee made its leadership selection: Keith was selected to continue as Chair with committee consensus, and Jim Trombold was selected to continue as Vice-Chair with committee consensus.

Future committee meeting topics:

- Report back from Doug Shoop on Be medical monitoring program.
- Report back from WCH on implementation of communication and worker involvement programs.
- Consider developing advice reinforcing recommendations from the L&I review, which could be informed by the level of public concern at the upcoming SOS meetings. Charlie will draft advice in preparation for February Board meeting.

The committee agreed both a November meeting and committee call were unnecessary.

Action Items / Commitments

- Jeanie will provide the committee with information on worker compensation claims that have been taken to court.

Handouts

NOTE: Copies of meeting handouts can be obtained through the Hanford Advisory Board Administrator at (509) 942-1906, or tholm@enviroissues.com

There were no handouts at the meeting.

Attendees

HAB Members and Alternates

Gerald Dagle	Pam Larsen	Keith Smith
Rob Davis	Todd Martin	John Stanfill
Harold Heacock	Jerry Peltier	Jim Trombold
Rebecca Holland	Mike Priddy	Charlie Weems

Others

Kevin Bazzell, DOE-RL	Beth Rochette, Ecology	Lynn Lefkoff, EnviroIssues
Steve Bertness, DOE-RL		Jason Mulvihill-Kuntz, EnviroIssues
Dave Brockman, DOE-RL		Barb Wise, FH
Joe Franco, DOE-RL		Lynnette Bennett, WCH
Karen Lutz, DOE-RL		Fran DeLozier, WCH
Jeanie Schwier, DOE-RL		John Ware, WCH
Doug Shoop, DOE-RL		

Rob Barr, DOE-ORP		
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